

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOHN DAGGETT,

Plaintiff,

v.

Case No. 12-C-72

JUDGE THOMAS GRITTON,

Defendant.

ORDER OF DISMISSAL

Pro se Plaintiff John Daggett has filed a Complaint alleging that Winnebago County Circuit Court Judge Thomas J. Gritton violated his civil rights by refusing to enter a default judgment against an individual who allegedly injured him in an automobile accident. Although Daggett has paid the \$350.00 filing fee, his Complaint will be dismissed for failure to state a claim. Judge Gritton enjoys absolute judicial immunity, which shields him from suit for money damages based on actions taken as a judge, such as refusing to enter a default judgment. *See Mireles v. Waco*, 502 U.S. 9 (1991). If Daggett believes that Judge Gritton has improperly refused to grant his Motion for a Default Judgment, his remedy is by appeal to the Wisconsin Court of Appeals, not a civil rights suit in federal court. Accordingly, the case is dismissed.

SO ORDERED this 26th day of January, 2012.

s/ William C. Griesbach

William C. Griesbach

United States District Judge